

**Francis E. Telegadas**

8204 Yolanda Road  
Richmond, Virginia  
(H) (804) 282-7212  
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franktelegadas@verizon.net

November 29, 2012

**By Hand**

Clerk of the Bankruptcy Court  
U.S. Bankruptcy Court,  
701 East Broad Street - Room 4000  
Richmond, VA 23219

FILED  
2012 NOV 29 PM 1:05  
RICHMOND DIVISION

Re: Circuit City Bankruptcy - Claim for Francis E. Telegadas - Case Number 08-35653  
(Case Jointly Administered)

**Response to Debtors Fifty-Seventh and Forty Eighth Omnibus Objection**

**Amount Claimed:**

**Long Term Incentive Plan/Cash Awards - Min \$40,000 - Max-\$80,000**

**Cash Retention Award - Min \$20,000 Max - \$40,000**

Clerk of Bankruptcy Court:

I filed my letter and attachments involving my objections to the Fifty Seventh and Forty Eighth objections and may have inadvertently left out the second page of my November 27, 2012 letter.

I have sent complete copies to counsel for debtor on November 28, 2012 by email so they have a full set and am filing the full letter only without the attachments with the court and ask you substitute this full version of the November 27, 2012 letter response with that filing.

Please feel free to contact me if you have any questions.

Sincerely,




Francis E. Telegadas

Attachments – full version of November 27, 2012 letter.

Copies to:

Lynn Tavenner/Paula Beran  
Tavenner & Beran, PLC  
20 North Eighth Street, 2<sup>nd</sup> Floor  
Richmond VA 23219

Jeff Pomerantz/Andrew Caine  
Pachulski, Stang, Ziehl & Jones  
10100 Santa Monica Blvd  
Los Angeles, CA 90067-4100



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November 27, 200<sup>12</sup>~~9~~

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701 East Broad Street - Room 4000  
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Re: Circuit City Bankruptcy - Claim for Francis E. Telegadas - Case Number 08-35653  
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**Amount Claimed:**

**Long Term Incentive Plan/Cash Awards - Min \$40,000 - Max-\$80,000**

**Cash Retention Award - Min \$20,000 Max - \$40,000**

Clerk of Bankruptcy Court:

Please accept this response to the Debtor's to objection to my claim involving Long Term incentive and Cash Retention awards owed under the above Employee Plans. I have previously filed these claims and others in January 2009 as an unsecured claim and in June 2009 as administrative claims. The response filed by the debtors to these claims is in error and the awards should be allowed.

**First** – in the Forty Eighth objection – the Debtor states there are now amounts due for unpaid wages and the books and records show no amount for unpaid wages. My claims relate to the Long Term Incentive Plan Cash Award and the Cash Retention Award. These amounts are paid as bonuses for service and both were met by the claimant and both had accelerated under as is acknowledged by the debtor in the memorandum involved in the 57<sup>th</sup> Objection. I have given to the court in my proofs of claims the documents provided by the company to me.

**Second** – the Fifty Seventh Objection allows a general unsecured claim of \$40,000 under Claim “5664” which appears by the motion to relate to the Long Term cash incentive award given in an October 9, 2008 award letter of a minimum of \$40,000 and a potential maximum of \$80,000. Debtor allows that the amount of \$40,000 is an appropriate claim.

The confusion appears to relate to a statement that a duplicate claim exists under claim 5680.

The real issue is trying to pin down the claims and the numbers and the amounts I am owed as a claim.

I filed proofs of losses as outlined above in January of 2009 and refilled some as administrative claims in June of 2009.

**The claims I filed included two separate and distinct awards:**

**One** of which was the Long Term Incentive Plan Cash Award in an October, 9 2008 which by the Debtors admission allows an amount of \$40,000. My award letter is the same form letter used by Debtor in the motion.

The **Second** claim involves a Cash Retention award that was given in a January 3, 2008 letter – that award allows for up to \$40,000 total – under a separate and distinct award - \$20,000 for being employed on January 1, 2009 (I was) and the other half that was to be given for employment on January 1, 2010 – that second half accelerated under the same change of control feature that the Debtor acknowledges in this motion that came about in March 2009 (and at that time I was still employed). My last date with the company was on April 17, 2009.

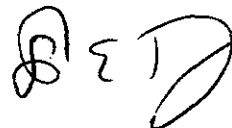
Therefore I am owed two separate claims of \$40,000 each - not one.

I attach a copy of my original proof of claims and accompanying letters and materials I filed which bear different numbers than those assigned by the debtor under the “5664 and 5860” numbers – I do not know how the debtor assigned numbers and I would prefer to discuss these by the dates of the award letters – October 9, 2008 and January 3, 2008). Both of those award letters are in the materials attached. I apologize if I have confused the numbering system – I can only go by my original claims and letter awards and appreciate any indulgence on confusion I may have caused.

I hereby declare that the above matters are based on my personal knowledge supporting the response to the objections and the documents attached and the books and records of the Debtor.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'F. Telegadas', with a long horizontal line extending to the right.

Francis E. Telegadas

Attachments

Copies to:

**By Hand**

Lynn Tavenner/Paula Beran  
Tavenner & Beran, PLC  
20 North Eighth Street, 2<sup>nd</sup> Floor  
Richmond VA 23219

**By Fax (310-201-0760) and First Class Mail**

Jeff Pomerantz/Andrew Caine  
Pachulski, Stang, Ziehl & Jones  
10100 Santa Monica Blvd  
Los Angeles, CA 90067-4100

I hereby certify that the above letter was filed in the court by the deadline of November, 29, 2012 and sent so it was received by the above entities and persons on or before 4:00PM, November 29, 2012

  
\_\_\_\_\_  
Francis E. Telegadas